

the permittee is no longer a suitable place to hold ABC permits or that the operation of the business with an ABC permit at that location is detrimental to the neighborhood. No order revoking or suspending an ABC permit pursuant to this section may be made except upon substantial evidence admissible under G.S. 150B-29(a).

- (2) The Commission shall suspend or revoke a permit issued by it if a permittee is in violation of G.S. 18B-309."

Section 3. This act becomes effective October 1, 1999.

In the General Assembly read three times and ratified this the 7th day of July, 1999.

Became law upon approval of the Governor at 10:30 a.m. on the 16th day of July, 1999.

H.B. 651

SESSION LAW 1999-323

AN ACT TO ALLOW BRUNSWICK COUNTY TO ASSESS A FIRE PROTECTION FEE.

The General Assembly of North Carolina enacts:

Section 1. Fee-supported fire districts.

Section 1.(a) Request for Fee-Supported District. -- A county may create a fee-supported fire district for insurance grading purposes if it receives one of the following:

- (1) A written request to create the district signed by at least two-thirds of the members of the board of directors of a fire department that contracts with the county to provide fire protection within an area of the county.
- (2) A petition requesting creation of a district signed by fifteen percent (15%) of the resident freeholders living in an area in the county. The petition must describe the area to be designated as the district.

Section 1.(b) Creation of Fee-Supported District. -- Upon receipt of a request as provided in subsection (a), the county may adopt a resolution establishing a fee-supported fire district and imposing annual fees for the provision of fire protection services within the district. The fee may be established or changed only after the county board of commissioners has received the recommendations of the committee for that district, established under subsection (b1) of this section. The district may not include any area that is within (i) a tax-supported fire district established under Article 3A of Chapter 69 of the General Statutes; (ii) a county service district established under Article 16 of Chapter 153A of the General Statutes for fire protection purposes; or (iii) another fee-supported fire district. The district may not include any area that is within the corporate limits of a municipality unless the governing body of the municipality agrees to the inclusion. However, it is not necessary to obtain the consent of a municipality if the municipality has not levied a tax, performed any official act, nor held any elections within a period of 10 years